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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,926	03/25/2004	Yu Jen Chen	24061.103 (TSMC2003-0449)	1917
42717	7590	08/08/2006	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			SIEK, VUTHE	
			ART UNIT	PAPER NUMBER
			2825	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,926

Applicant(s)

CHEN ET AL.

Examiner

Vuthe Siek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to application 10/826,926 filed on 3/25/2004.

Claims 1-22 remain pending in the application.

Claim Objections

2. Claim 1 is objected to because of the following informalities: "a first entity" and "a second entity" need clarification to what each one is. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al. (US 2005/0125763 A1). The applied reference appears to have a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this

application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

5. As to claim 1, Lin et al. teach a method of manufacturing a semiconductor device comprising generating, by a first entity, design information useable for designing semiconductor devices (Fig. 2 and 3 show a plurality of entities that are interactively communicate through an internet or intranet in real time); supplying, by the first entity, design information to a second entity (Fig. 2 and 3 show a plurality of entities that are interactively communication through an internet or intranet in real time); designing, by the second entity, a semiconductor device using the design information (As exemplary in Fig. 3, design entity 308 used for designing an IC design and testing; 0035); and alerting the second entity by the first entity if there is a change in the design information that would impact the manufacturing of the semiconductor device (For example, 0035 describes that each entity may interact with other entities and may provide services to and/or receive services from the other entities). In addition, see detailed description of virtual fab Fig. 2 and 3).

6. As to claims 2-3, Lin et al. teach the virtual fab comprises a plurality of databases including a central database for accessing, retrieving, distributing design information by each of entities in real time (Fig. 2, 3; at least see 0033, 0038).

7. As to claims 4-10, Lin et al. teach the virtual fab comprises a plurality of databases including a central database for accessing, retrieving, distributing design information by each of entities in real time (Fig. 2, 3, at least see 0033, 0038). Fig. 7 describes that design information has been received and verified to determine whether

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design is correct and if not prompt user to modify the design. When the design is verified, then stored in design database is identifier for later retrieval. The design may be modified later before finalize design and send for mask creation. Since, each of entities is interactively communicate to each other in real time (at least see 0020-0033). The claims limitations as recited in claims 4-10 are within the scope of the invention because by coordinating among all entities, the design information would be kept update to anyone of the entities in real time.

8. As claims 11-12, Lin et al. teach a virtual fab comprising a plurality of entities (first, second, third entities, ... customer entity) (see Fig. 2 and 3).

9. As to claim 13, Lin et al. teach a virtual fab (Fig. 2-3) comprising a design database including design information for designing semiconductor devices (Fig. 3, 5); a network coupled to the design database and adapted to communicate with a customer (Fig. 3). Lin et al. teach services provided by the virtual fab may enable collaboration and information access in the areas of design, engineering, and logistics (0032). The integration of entities of the virtual fab enables entities to coordinate their activities in real time (0033). A central database is provided for collecting data in real time including any changes in the design information. From the at least these teachings, it clearly shows the virtual fab as taught by Lin must include a design coordinate engine.

10. As to claims 14-22, remarks set forth in rejection claims 2-12 equally apply in rejecting claims 14-22. In addition, Lin et al. teach the virtual fab comprises a plurality of databases including a central database for collection data in real time (0038). Lin et al. teach the integrated system of the virtual fab enables facilities or entities to

coordinate their activities in real time to thereby update design information and store it in a database for use by the facilities or entities (0020-0046). Thus, the virtual fab must include a design coordinate engine that can be used to determine any activity performed by facilities or entities, where the activities would include latest time that the customer has accessed design information that has been changed or appraisal. The design information, the update design information and collected data stored in databases or sub-databases in real time can be accessed, tracked, searched for and retrieved by the facilities or entities. The design information stored in databases/sub-databases includes an associated technology, a custom design profile and a design building block. Line et al. teach customer interface include an online system and an order management, where the order management system may manage client orders and may be associated with a supporting database to maintain client information and associated order information.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vuthe Siek whose telephone number is (571) 272-1906.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on (571) 272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vuthe Siek


VUTHE SIEK
PRIMARY EXAMINER